

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE BIOPURE CORPORATION
SECURITIES LITIGATION

Civ. No. 03-12628 -NG

**PLAINTIFFS' MOTION TO PARTIALLY LIFT
THE AUTOMATIC STAY OF DISCOVERY PROVIDED UNDER THE PRIVATE
SECURITIES LITIGATION REFORM ACT WITH RESPECT TO DOCUMENTS THAT
DEFENDANTS HAVE ALREADY PRODUCED TO THE SEC**

Plaintiffs, by and through their undersigned counsel, hereby respectfully submit this Motion To Partially Lift The Automatic Stay Of Discovery Provided Under The Private Securities Litigation Reform Act With Respect To Documents That Defendants Have Already Produced To The SEC. Plaintiffs note that the relief sought by this Motion will be become moot if the Court denies two now-pending motions that were filed on October 6, 2004: (1) Defendant Ronald F. Richards' Motion To Dismiss The Consolidated Class Action Complaint (docket # 62) and (2) Defendants' Motion To Dismiss The Consolidated Amended Class Action Complaint (docket # 64), filed by Defendants Biopure Corporation, Thomas A Moore, Carl W. Rausch, Howard P. Richman, Charles A Sanders and J. Richard Crout.

For all the reasons set forth in the attached Memorandum In Support hereof, Plaintiffs respectfully request that their Motion be GRANTED.

REQUEST FOR ORAL ARGUMENT

Plaintiffs believe that oral argument may assist the Court in deciding the issues raised by this Motion. Therefore, Plaintiffs hereby request that oral argument be

scheduled at a time convenient for the Court.

Dated: January 5, 2006

Respectfully submitted,

SHAPIRO HABER & URMY LLP

/s/ Edward F. Haber

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Lead Plaintiff and The Class**

CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)

I hereby certify that the parties' counsel conferred in a good faith effort to narrow or resolve the issues raised in this motion. The parties were unable to reach agreement.

/s/ Edward F. Haber

Edward F. Haber

Certificate of Service

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as nonregistered participants on the 6th day of January, 2006.

/s/ Edward F. Haber

Edward F. Haber